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President: Mr. Holkeri ..... (Finland)

The meeting was called to order at 3 p.m.

Agenda item 34

Oceans and the law of the sea

Reports of the Secretary-General (A/55/61, A/55/386)

Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its first meeting (A/55/274)

Draft resolutions (A/55/L.10, A/55/L.11)

The President: I give the floor to the representative of the New Zealand to introduce draft resolution A/55/L.10.

Ms. Hallum (New Zealand): I have the honour, as one of the coordinators, to introduce draft resolution A/55/L.10, entitled "Oceans and the law of the sea". The other draft resolution, which comes under item 34 (b), is entitled "Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments". It will be introduced by the representative of the United States.

Since the publication of the draft resolution, the following countries have become sponsors: Belize, Cape Verde, Costa Rica, Croatia, Cyprus, Grenada, India, Mozambique, Poland, the Russian Federation, Sao Tome and Principe, South Africa and Spain.

At the outset I would like to make two technical corrections to return the text to the wording I submitted for publication, following the conclusion of the open-ended consultations. First, in the second line of the tenth preambular paragraph the words "on Oceans and the Law of the Sea" should be deleted. The second adjustment relates to footnotes 7 and 14. Footnote 7 should read: "Terms of reference are annexed to the present resolution in annex I". Footnote 14 should read: "Terms of reference are annexed to the present resolution in annex II".

The draft resolution represents the key tangible product of the General Assembly's ongoing commitment to undertake an annual review and evaluation of the implementation of the United Nations Convention on the Law of the Sea and other developments in ocean affairs and the law of the sea. It is the result of a substantial series of open-ended consultations amongst delegations. I would like to express my appreciation to all delegations for their active participation and constructive spirit, and in particular to thank Ms. Alison Drayton of Guyana for acting as co-facilitator of the informal consultations. I would also like to thank the staff of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs for their highly competent assistance, which, as always, was invaluable for our work.

The draft resolution's preambular part underlines a number of fundamental concepts, including the

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universal and unified character of the Convention; its role as legal framework for all activities in the oceans and seas and as a basis for action at the national, regional and global levels; the interrelatedness of all oceans issues and the need to address all aspects in an integrated manner; and the importance of oceans and seas to the earth's ecosystem and for food security. The preambular part also touches upon a number of important current issues, such as the need for capacity-building for the implementation of the Convention; the problems of illegal, unreported and unregulated fishing; the degradation of the marine environment both from land-based sources and pollution from ships; and crimes at sea.

First and foremost, in order to achieve the goal of universal participation, the draft resolution calls on all States that have not done so to ratify and implement the Convention and the Agreement, and urges assistance for developing countries in this regard. The operative part of the text contains a number of other important recommendations, decisions and requests, reflecting the range of issues covered by the Secretary-General's annual comprehensive report on oceans and the law of the sea. This year, for the first time, the General Assembly has had the benefit of the input of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea. A significant number of elements in the draft resolution draw on recommendations from the first meeting of this process.

The draft resolution refers in very positive terms to the ongoing work of the three institutions established under the Convention: the International Tribunal for the Law of the Sea, the International Seabed Authority and the Commission on the Limits of the Continental Shelf. In the case of the Seabed Authority, the draft resolution welcomes the adoption of the mining code, an important milestone for the Authority, and notes with satisfaction that the Authority is now in a position to proceed to issue contracts to the registered pioneer investors. The draft resolution also notes the considerable progress in the work of the Commission on the Limits of the Continental Shelf, in particular the open meeting held earlier this year and the work the Commission has been doing on developing a training course on the preparation of submissions.

Drawing on recommendations made by the Consultative Process, the draft resolution addresses the issue of capacity-building for the implementation of the Convention and the sustainable development of the oceans and seas and their resources, calling on bilateral and multilateral donors and the Secretary-General, in cooperation with competent international organizations, to review their efforts in this area. It further asks the Secretary-General to include a section on this subject in his annual report on oceans and the law of the sea.

The draft resolution urges States to continue the development of an international plan of action to combat illegal, unregulated and unreported fishing as a matter of priority, and in this context recognize the central role that regional and subregional fisheries management organizations will have in addressing this issue. This issue is, of course, further taken up in the draft resolution to be adopted under agenda item 34 (b).

On the issue of marine pollution, the importance of the full implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities is emphasized. States are called upon to prioritize action on marine pollution and to do so in an integrated and inclusive manner. The United Nations Environment Programme and the World Bank are invited to consider what support is needed to overcome the obstacles to the preparation and implementation of national and local action programmes. The draft resolution also emphasizes the importance of ensuring that adverse impacts on the marine environment are taken into account when assessing and evaluating development programmes and projects. On the issue of pollution from ships, the draft resolution urges States to take all practicable steps in accordance with the relevant international instruments.

The draft resolution stresses the need for the international community to consider the issues of marine science and how best to implement the obligations of States and competent international organizations under parts XIII and XIV of the Convention. Perhaps as a starting point for this consideration, the draft resolution recommends issues of marine science — and the development and transfer of marine technology — as an area of focus for the next meeting of the Consultative Process in May 2001.

As in previous years, the draft resolution contains references to the problems of piracy and armed robbery at sea and to the ongoing work in the United Nations Educational, Scientific and Cultural Organization on

underwater cultural heritage. Coordination and cooperation in combating piracy and armed robbery at sea are also recommended as an area of focus for next year's meeting of the Consultative Process.

Finally, the draft resolution establishes a number of voluntary trust funds to assist developing countries and developing country representatives in various matters relating to oceans and the law of the sea. In the case of two of these funds — the fund to assist States in the settlement of disputes through the Tribunal and the fund to provide training to assist developing States with issues relating to the preparation of submissions to the Commission on the Limits of the Continental Shelf — terms of reference are annexed to assist the Secretary-General in their administration.

While it would have been my preference to commend this draft resolution for adoption by consensus, I understand that this will not be possible, as it has become customary for one delegation to request a vote.

Allow me now to make some comments on behalf of my own country, New Zealand. Clearly, the oceans and seas are a genuine and long-standing preoccupation for my delegation. All countries have their own creation myths and stories and, in New Zealand's case, this account demonstrates the centrality of the oceans and their resources to our way of thinking. New Zealand is made of three islands – two large and one small – and one of the accounts of its creation goes as follows: Maui, a demigod, was fishing in his canoe and pulled up the largest fish he had ever caught. The fish struggled, but Maui fought fiercely and pounded the fish with his greenstone *mere*. Te-ika-a-Maui, the fish of Maui, became the north island of New Zealand, with the blows of his club forming the mountains and ranges Visible today. His canoe, Te-waka-a-Maui, become the south island, while the third and smallest island, Stewart Island, is the canoe's anchor stone.

As we look at the broad spectrum of issues contained in the Secretary-General's report and reflected in the draft resolutions to be adopted under this item, it is more apparent than ever that the problems of oceans and seas are interrelated and need to be considered as a whole. This principle is at the heart of the Convention and the same integrated approach needs to be taken to the implementation of the Convention and to the activities carried out within its framework.

As Ambassador Satya Nandan said two years ago in this Assembly, the establishment of the rule of law, albeit a major achievement, is not an end in itself, but rather a means to a more orderly and rational use of the oceans and their resources. We believe that the General Assembly has an important role in contributing to this end by maintaining oversight of the complex network of processes, organizations and responsibilities established by the Convention and ensuring that these activities take place in a way that accords with the overall balance achieved in the Convention.

We welcomed the establishment last year of the United Nations Open-ended Informal Consultative Process on Ocean Affairs and the Law of the Sea and the holding of its first meeting in May of this year. My delegation would like to pay a tribute to the dedicated efforts of the co-Chairmen, Ambassador Neroni Slade and Mr. Alan Simcock, in ensuring the success of the first meeting of the Consultative Process. We consider that the output of the Consultative Process has clearly enriched the informal consultations under this item and the resolutions to be adopted, and hopefully will now enrich the debate that we are to have today.

Our views will be incorporated in the Pacific Group statement being delivered later today by the Ambassador of Tonga, so at this stage I will confine myself to a few key issues of particular importance to my delegation. As we look at developments over recent years, we are encouraged that much of the work envisaged in the Convention is under way and that in many areas there is considerable progress. The Convention is really starting to work and breathe.

The United Nations Fish Stocks Agreement has yet to enter into force, but with two recent ratifications from Barbados and Luxembourg, only two further ratifications are lacking, so entry into force is not far away. In the area of marine living resources, a number of regions have gone ahead to conclude third-generation agreements establishing regional fisheries management organizations envisaged in the United Nations Fish Stocks Agreement. One of these regions is the Pacific, where we are pleased, after years of hard work, to have adopted the Western and Central Pacific Fisheries Convention. We consider that this Convention represents a fair balance between the rights and interests of coastal States and fishing nations, and hope that all countries will work together for the early entry into force of the Convention and to ensure that a solid foundation for the eventual work of the

commission established under this Convention is laid through the preparatory-conference process.

The problem of illegal, unreported and unregulated fishing is finally getting the attention it deserves, although unfortunately the October consultations in the Food and Agriculture Organization of the United Nations (FAO) fell short of completing the urgently needed international plan of action. All States need to take action to ensure that the activities of their nationals do not undermine the conservation and management measures agreed upon by regional fisheries management organizations. It is essential that FAO adopt a comprehensive approach to ensure that all States that can have a role in deterring illegal, unreported and unregulated fishing do in fact take up the challenge. This includes coastal States, port States and those States whose nationals and companies, as well as vessels, fish on the high seas and in other countries' waters. This also means encouraging States to ensure that their nationals do not resort to reflagging to deliberately avoid conservation and management measures.

Turning now to non-living marine resources, we were very pleased that the International Seabed Authority has adopted the regulations on prospecting and exploration for polymetallic nodules in the Area. We are pleased that these regulations require that a precautionary approach be applied to activities in the Area to ensure effective protection of the marine environment. We look forward to the early conclusion of contracts for exploration between the Authority and the registered pioneer investors in accordance with those regulations.

The Commission on the Limits of the Continental Shelf has also made considerable progress in its work and will soon begin to receive submissions from States. We welcomed very much the first open meeting of the Commission held earlier this year and consider that this meeting filled a very important function in familiarizing States with what is involved in preparing a submission. In our own case, we are currently working towards making our submission within the 10-year time-frame set down in the Convention.

We look forward to a constructive debate and to participating over the coming year in the many activities that are taking place within the framework of the Convention.

The President: I call on the representative of the United States of America to introduce draft resolution A/55/L.11.

Mr. Carmichael (United States of America): My delegation has the honour to co-sponsor the draft resolution entitled "Oceans and the law of the sea" in document A/55/L.10. We also have the honour to introduce, on behalf of the sponsors, the draft resolution entitled "Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments", in document A/55/L.11.

We would like to extend our gratitude to all those delegations that participated, and especially the delegations of New Zealand, Guyana and Argentina. They guided the discussions, offering valuable suggestions and advice as we worked together in a spirit of cooperation to draft these two texts.

We would also like to note that this year's fisheries resolution negotiations were attended by a significantly larger number of delegations than in recent years. We believe that this is reflective of the timely and important work that we are undertaking and underscores the importance of a balanced resolution that takes into account the priorities and problems facing the global community in achieving sustainable fisheries.

The United States believes that the draft resolution on fisheries before us today represents a successful merger of various regional and global priorities into a useful document that we sincerely hope the international community will fully endorse.

In the past several years, the international community has placed major emphasis on sustainable fisheries at both the governmental and intergovernmental levels. In 1999, the Committee on Fisheries (COFI) of the Food and Agriculture Organization of the United Nations (FAO) endorsed three International Plans of Action for the management of fishing capacity, for the conservation and management of sharks, and for reducing incidental catch of seabirds in longline fisheries. The United States welcomes their adoption and urges all countries to actively implement these important International Plans of Action in accordance with the timetables set forth in the plans.

In addition, this year the FAO's Committee on Fisheries made important progress in addressing the global problem of illegal, unreported and unregulated fishing, which undermines international and national efforts to conserve and manage fisheries resources. The United States strongly supports the FAO Committee's initiative to develop a comprehensive international plan of action to prevent, deter and eliminate this activity, and we have been participating actively in its development. We also wish to applaud the cooperation between the FAO and other United Nations bodies, such as the International Labour Organization and the International Maritime Organization, to combat this urgent problem.

We welcome the conclusion of negotiations to establish new regional fisheries management organizations in the Central and Western Pacific and the Southeast Atlantic Oceans. We would especially like to congratulate all those who participated in the adoption of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. This Convention establishes an effective system for conservation and long-term sustainability of the highly migratory species of the region. This region produces more than half of the world's annual tuna catch, which is often the only significant natural resource for small island developing States and island communities.

Marine pollution and the level of by-catch and discards in some commercial fisheries threaten the health of the marine ecosystem and the achievement of sustainable fisheries. Marine pollution and debris, from both land-generated and vessel-generated sources, can significantly affect the marine and coastal environment, commercial and artisanal fisheries, the tourism industry and navigational safety. Although there are international agreements that regulate marine pollution, more coordination is needed among all the relevant intergovernmental bodies, regional fisheries management organizations, industry and non-governmental organizations to effectively address this complex problem at both the global and regional levels.

In this regard, I note that it has been nearly a decade since the General Assembly unanimously adopted the resolution calling for the phase-out of all high seas drift-nets by 1992. Globally, we have made significant progress towards achieving this goal. Yet some illegal drift-netting with oversized nets continues. To end this hazardous fishery practice once and for all, countries must enforce fully General Assembly resolution 46/125 by calling for their relevant national authorities to confiscate and destroy illegal nets, impose fines significant enough to deter illegal drift-netting and, finally, to maintain a strong monitoring system.

The United States believes that nations took positive steps towards improved coordination and cooperation on matters relating to oceans and seas through the Informal Consultative Process on Oceans and the Law of the Sea.

The full General Assembly review and debate, presaged in the clear language of Agenda 21, is more informed, and the Secretary-General's report on oceans has become more meaningful and useful. Governments, intergovernmental organizations and major groups that take a keen interest in our work are all benefiting from this process. The informal process increases our contacts on ocean and coastal matters across Governments and ministries and widens the possibilities for future cooperation. We welcome the establishment of a trust fund to encourage greater participation of experts from all Member States in this process.

We believe that the international community benefited greatly from the discussion last May on protection of the marine environment from land-based activities. We must continue to look for opportunities to implement the Global Programme of Action. The upcoming review in 2001 provides such an opportunity. We also urge all to actively implement paragraphs 25 through 30 of the draft resolution before us.

Next year we will discuss marine science and piracy in the Informal Consultative Process. The marine science review will give us a chance to take a look at the science and technological sections set forth in chapter 17 of Agenda 21 to determine how much further we need to go to meet those goals. The piracy review is very timely and is particularly important to galvanize the further advancement of productive measures to address this serious threat to our seafarers, our oceans and our seas.

On the issue of marine science, we can think of many questions that should be reviewed. For instance, how can we better understand the coupled ocean/atmosphere system? How can we encourage the storage, archiving, analysis and full and open sharing of data and information resulting from scientific

research on and monitoring of the marine environment? How can we improve the linkages of training opportunities with the regional environmental organizations?

What is the best way to ensure support for the implementation of the global ocean observing system? How can we best effect the coordination and integration of national and international programmes of scientific research on and long-term observations of the marine environment to take maximum advantage of the data and information necessary for understanding the oceans? How can we ensure the development of standards, procedures, methods and measuring techniques to ensure the comparability and compatibility of data and information? How can we promote the integrated and sustained observing systems, in particular the establishment of the Argo global array of profiling floats, a prototype element of the global ocean observing system?

How do we link cross-cutting issues, such as human health, seafood safety, capacity-building, sustainable fisheries and the role of the ocean in climate with existing marine science and operational programmes and national and regional plans of action on land-based sources of pollution to the marine environment? How can we achieve the linkages and collaboration among the various international organizations and institutions, including the United Nations system and international financial institutions, necessary to provide marine scientific information to decision-makers?

The United States also shares the concerns expressed in this draft resolution for the need to cooperate to suppress acts of piracy and armed robbery at sea. We welcome the call for wider ratification and effective implementation of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol. We believe this will provide an international legal basis for cooperation in the apprehension and prosecution of these criminals.

The United States wants to express its long-standing support for the 1982 United Nations Convention on the Law of the Sea. The United States continues to pursue ratification with the goal of becoming a party to the Convention on the Law of the Sea and the Agreement relating to the Implementation of Part XI.

We support the call in the draft resolution for States to harmonize as a matter of priority their national legislation with the provisions of the Convention on the Law of the Sea. Consistency would also be advanced — and this is in the interests of all — by the withdrawal of declarations and statements that are not in conformity with the Convention.

Concurrent with this idea of consistency is the ongoing work towards the development of a draft convention relating to underwater cultural heritage. Such a convention must be in full conformity with the relevant provisions of the Convention on the Law of the Sea.

We believe that the Commission on the Limits of the Continental Shelf can be a force for stability in ocean space. Essential elements of that stability include a cautious approach to thorny issues in the establishment of the outer limit of the continental shelf; the possibility of appropriate assistance to developing States, in particular the least-developed countries and small island developing States; a strict approach to ensuring confidentiality and an unvarying commitment to refrain from any actions which reflect negatively on the Commission or the Commissioners. In this regard, we support the terms of reference regarding the voluntary trust fund relating to the Commission and note the statement of the Chairman of the Commission of September 2000.

In summary, the United States objectives continue to be the promotion of widespread adherence to, and implementation of, the provisions of the Convention on the Law of the Sea and the 1994 Agreement; implementation of the Convention and the Agreement in a cost-effective manner with budgets held to the minimum; and the entry into force of the Agreement on fish stocks and the Food and Agriculture Organization Compliance Agreement.

The President: Before calling on the next speaker I should like to inform members that, owing to the large number of speakers inscribed in the debate on agenda item 34, the General Assembly will not be able to hear all the speakers this afternoon and will therefore hear the remaining speakers tomorrow, Friday, 27 October, at 3 p.m. with a view to concluding consideration of this item.

Mr. Boisson (Monaco) *(spoke in French)*: Allow me first of all to express the thanks of my delegation to Ms. Alison Drayton of the Republic of Guyana and to

Ms. Victoria Hallum of New Zealand for their enlightened conduct of the consultations on the draft resolution relating to oceans and the law of the sea that has just been presented and which the Principality of Monaco, as in previous sessions, has joined in sponsoring.

My delegation was among those which sponsored resolution 54/33 on the basis of which the General Assembly decided to set up the informal consultation process open to everybody on oceans and the law of the sea.

The first meeting showed to what extent we need to make maximum use of an integrated approach to all aspects — legal, economic, social, environmental and others — relating to oceans and the seas, and to improved coordination at the inter-governmental, inter-institutional levels, as well as at the regional, subregional and local levels, and thus enable the participation of the main groups identified in Agenda 21.

The success of these initial consultations is due primarily to the co-Presidents, Ambassador Slade of Samoa and Mr. Simcock of the United Kingdom — and we are very happy to see the extension of their mandate — and also to the Division for Ocean Affairs and the Law of the Sea. Their competence and their effective and well-advised conduct of the work and the constructive approach of the participating delegations enabled the first meeting to be a resounding success.

The results and the usefulness of the informal process will be evaluated at the fifty-seventh session of the General Assembly. Nevertheless, and without prejudice to discussions that will take place in two years, I would like to reaffirm the support of my delegation to this initiative which enables the General Assembly to better fulfil its annual mandate to examine and analyse ocean affairs and the law of the sea.

As we have seen, a few hours of formal meeting in the Assembly is not sufficient to enable us to pay due attention to the question of ocean affairs, and, in particular, to the areas where coordination and cooperation must be strengthened.

In saying this, we must draw attention to the increase in work faced by the Division for Ocean Affairs and the Law of the Sea and the Assembly must draw the necessary conclusions and enable the Division to continue its excellent work.

In this context, it would also seem to be essential to ensure effective participation of the developing countries in this process and, particularly, the participation of the least-developed countries, the small-island States as well as coastal States.

The Principality has always been a firm defender of the protection of the marine environment and its resources. This is an indissociable part of preserving the earth's ecosystem.

The fact that our small country is so open to the Mediterranean fully justifies its involvement in matters of regional and subregional cooperation and our action to promote sustainable management of the oceans, the seas and their resources and, in particular, the coastal areas, which are the most vulnerable because of the high density of population living there.

In this connection I would like to mention the recent events in which my country has been involved.

First, regarding the fight against pollution. At the beginning of this month, within the framework of the RAMOGE agreement and its anti-pollution plan, cooperation was established between Italy, France and Monaco for the protection of the marine and coastal environment, following which the first simulation exercise took place aimed at fighting pollution around the port of Genoa in Italy. Representatives of the European Economic Commission and the Mediterranean Action Plan took part in this exercise, whose aim was to measure the effectiveness of intervention measures in cases of accidental oil spills from tankers.

From 6 to 11 November, under the auspices of the United Nations Environment Programme, the third global meeting on regional seas conventions and action plans will take place. This meeting, organized by the International Atomic Energy Agency (IAEA) Marine Environment Laboratory, whose Headquarters is situated in the Principality, will enable us to promote cooperation between the bodies created by these Conventions and Action Plans for the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. Experts from some 20 United Nations agencies will also study the strengthening of the links between the programme relating to regional seas and other conventions and agreements, such as the Convention on Biological Diversity, the Convention on International Trade in Endangered Species, the

Convention on the Conservation of Migratory Species, the Ramsar Convention on Wetlands and the Basle Convention on hazardous wastes. My country hopes that this will also be the opportunity to give a new stimulus to the Global Plan of Action for the Conservation, Management and Utilization of Marine Mammals. From 14 to 17 November, in Tunis, the Mediterranean Commission for Sustainable Development, of which Monaco is a member, will appraise the state of the Mediterranean environment as a whole.

With regard to the protection of marine resources, the parties to the agreement between France, Italy and Monaco for the protection of marine mammals, signed at Rome on 25 November 1999, met on 19 October to jointly begin scientific and technical work and to prepare the management structures for the planned sanctuary, ready for when the agreement enters into force. A scientific and technical committee will be established to assist the three Governments apply scientific knowledge to conservation, raising public awareness and communication activities, as well as the impact of human activities, such as tourism, fishing and sailing and boating, particularly involving speedboats and racing.

Finally, the Principality has offered to accommodate the Secretariat of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area, which will enter into force when another Mediterranean country deposits its instrument of ratification.

The Monaco Scientific Research Centre has begun, just a few days ago, to produce a map of the Mediterranean coastal area stretching from the French town of Toulon to the Italian border. Thanks to multispectral remote sensing, we have been able to draw up a positive balance sheet of this over-built area, which is also over-populated in summer. The presence of several habitats of *posidonia,* a plant which plays a vital role in the Mediterranean ecosystem, was particularly revealing. It shows that efforts with regard to the treatment of liquid waste and raising the consciousness of populations and yachts-people must be pursued.

Illegal, unreported and unregulated fishing must receive priority attention, because of its dangerous impact both on the management and sustainable exploitation of marine resources and on the economies of a number of countries. We hope that the plan of action of the Food and Agriculture Organization of the United Nations, to be presented to its Committee on Fisheries at the Committee's twenty-fourth session in February 2001, can be examined and adopted quickly. Recognition of the flag State's responsibility is, in our view, of prime importance.

Cooperation and coordination are also vital if we wish to stop the increasing, serious acts of piracy and armed theft that are unfortunately experienced by vessels and sailors. Given that two thirds of reported incidents occur in seven geographical zones, regional cooperation between the most affected coastal States is essential. The International Maritime Organization, which established a working group to establish guidelines on this matter, has also drawn the Assembly's attention to the assistance that other United Nations bodies could give to this vital initiative. My Government, of course, favours this. The question should be included on the agenda of the next meeting of the Informal Consultative Process, so that Member States can consider the question and draw up concrete measures.

The Commission on the Limits of the Continental Shelf held a public meeting on 1 May 2000, at which we were able to stress concerns about the difficulties a number of developing countries face in preparing submissions to establish the outer limits of their continental shelf beyond 200 nautical miles, as set forth in article 4 of annex II to the United Nations Convention on the Law of the Sea. My delegation welcomes the attention paid to this delicate question in the draft resolution.

Before concluding, I wish to pay tribute to the International Seabed Authority, whose Assembly adopted on 13 July 2000 the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area. A new era is about to begin that will offer the Authority the opportunity to conclude contracts with the pioneer investors in accordance with the Convention, the Agreement relating to the Implementation of Part XI and the regulations.

I take this opportunity to thank the Authority's Secretary-General, Mr. Satya Nandan, for his tireless efforts and dedication.

Mr. Alabrune (France) (*spoke in French*): It is my honour to speak on behalf of the European Union

on this agenda item "Oceans and the law of the sea". The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus and Malta align themselves with this statement.

The preparation and subsequent entry into force of the Montego Bay Convention marked major progress in strengthening international cooperation in maritime matters. However, over and above the contribution of this valuable legal instrument, there is an urgent need to informally strengthen this cooperation in order to protect the marine environment and avoid the risk of overexploitation of natural marine resources. That is why last year, on the recommendation of the Commission on Sustainable Development, the General Assembly introduced in resolution 54/33 the Informal Consultative Process on Oceans and the law of the Sea, which, through an integrated approach to all pertinent aspects of ocean affairs, should facilitate the General Assembly's yearly review of developments in this area.

The first meeting of the Informal Consultative Process was held in New York from 30 May to 2 June 2000. Conducted in a spirit of consensus, with the participation of competent international agencies and organizations and representatives of civil society, its work proved most fruitful. The European Union reaffirms its full support for the Informal Consultative Process and fully endorses the recommendations of its report. It emphasizes in particular the need to support the fight against illegal, unreported and unregulated fishing and marine pollution.

The thoughts expressed during the Informal Consultative Process once again illustrated the relevance of the legal framework provided by the United Nations Convention on the Law of the Sea. By their very nature, questions connected with oceans and the law of the sea require a broad approach. In this regard, the Montego Bay Convention remains a vital underpinning of all the international community's efforts in the areas of exploitation of the marine environment and the promotion of peace and security on the high seas.

In view of the major role played by the Convention and by the Agreement relating to the implementation of Part XI, the European Union stresses that it is the aim to secure universal accession to those two instruments, to which the European Union is party. We welcome the increase in the number of parties to those instruments, to 135 for the Convention and to 100 for the Agreement relating to the implementation of Part XI. Because of their universal character, the European Union calls for the inclusion of the Convention and the Agreement in the Secretariat's list of major international instruments to be signed and ratified as a matter of priority.

At the same time, we note with concern that some States have acceded to the Convention and not to the Agreement relating to the implementation of Part XI. We call upon those States to accede to the Agreement as soon as possible. Moreover, a number of States have made statements that affect the legal scope of provisions of the Convention. Article 309 of the Convention states that no reservations or exceptions may be made to the Convention. The European Union thus stresses that such statements are without legal force. Similarly, the espousal or introduction in the national law of States parties or in international agreements of provisions that run counter to the Convention is unacceptable to us.

We believe also that the smooth functioning of bodies established under the Convention is crucial. The European Union welcomes the fact that the International Tribunal for the Law of the Sea is now operational, and it welcomes the International Seabed Authority's adoption, after four years of work, of a draft seabed mining code with respect to exploration and exploitation of the seabed.

The European Union stresses the vital importance of parties to the Convention paying their contributions to the Authority and to the Tribunal on time. Likewise, States that are former provisional members of the Authority should, where necessary, settle their debts. This process of financial rationalization should be accompanied by a sustained effort by the Authority and the Tribunal to control their operating costs. Here, the European Union expresses its satisfaction with respect to the stabilization of the Authority's budget at the end of its establishment phase. It is imperative also that the judgements of the Tribunal be promptly implemented by the parties concerned.

The European Union stresses the importance of the new trust funds that would be established by the terms of draft resolution A/55/L.10, "Oceans and the

law of the sea", especially those intended to assist States with the settlement of disputes through the Tribunal and to facilitate broad participation in the informal consultative process. The United Kingdom, a member of the European Union, has already decided to contribute $10,000 to the Tribunal trust fund.

The European Union expresses its satisfaction with draft resolution A/55/L.10, entitled "Oceans and the law of the sea", on which action will be taken at the present session. We also join in congratulating Ms. Alison Drayton and Ms. Victoria Hallum, who coordinated the preparation of the draft resolution. The text takes into account the proposals formulated at the first meeting of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, designed, in particular, to strengthen international cooperation and coordination in ocean affairs with a view to ensuring sustainable use of the oceans.

The European Union further welcomes the fact that the next meeting of the Open-ended Informal Consultative Process will be devoted to marine science and technology transfers, relating in particular to capacity-building. The European Union stresses the important role of marine science and technology in promoting the sustainable management and use of the oceans, and it recognizes the need to address such questions, especially in specific areas where international cooperation and coordination could be improved, in accordance with parts XIII and XIV of the Convention, and with Agenda 21.

Issues of maritime safety and security remain a major European Union concern. We note with concern the increase in the number of often violent attacks on ships. Here, we stress the great importance of the work that the International Maritime Organization (IMO) has been doing for a number of years to combat piracy, work which has given us a better understanding of the phenomenon and of how to deal with it. The European Union thus renews its appeal to coastal States to cooperate among themselves and to take the necessary steps, inter alia, to bring the perpetrators of such attacks to book. We further call on flag States and other affected States to ensure that shipping companies take full account of the need to protect their vessels and crews from such attacks. The European Union reaffirms its support for the efforts and initiatives of the International Maritime Organization in that sphere, and calls upon Governments, especially those in areas that are worst affected, to work with the IMO to eradicate these crimes.

The European Union looks forward to the consideration at the next meeting of the Informal Consultative Process of the issue of piracy and armed robbery at sea. We hope for the broadest possible participation in the debate to help improve understanding of the full extent of the problem and of the need for all States to do what is necessary to reduce the number of these attacks.

Particular sea routes are often preferred by traffickers, particularly those who traffic in migrants. To stop such trafficking, States members of the European Union have been actively involved in the preparation of a draft protocol against the smuggling of migrants by land, air and sea as part of the process of preparing a convention against transnational organized crime, under the auspices of the United Nations Commission on Crime Prevention and Criminal Justice. The European Union believes that such activities must be internationally criminalized, and that cooperation among States should be strengthened in this area.

The European Union reiterates the importance of protecting marine natural resources. Last year, the General Assembly, in its resolution 54/32, entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks", noted the fragility of stocks of marine natural resources. This remains a pressing issue this year, and we call upon Member States to sign and ratify that Agreement. The European Community and its member States signed it in 1996, and instruments of ratification will be deposited upon completion of each State's internal constitutional procedures. The European Union recalls the equitable balance of interests reflected in the drafting of the Agreement, and the Union vigorously urges all signatory States fully to respect every provision of the Agreement without applying interpretations that go beyond the general principles of the United Nations Convention on the Law of the Sea.

Here, it is worth recalling the need to strengthen international cooperation in the conservation and sustainable management of fish resources. The European Union therefore strongly supports the establishment and strengthening of regional fisheries

organizations. We deem it necessary, however, to recall that the development of these organizations should take place with due regard for the principles of the law of the sea and in the context of respect for a balance between the rights and obligations of States on the high seas. Furthermore, these organizations should be open to all States with genuine fishing interests in the fisheries that they administer.

The European Union believes also that the Code of Conduct for Responsible Fisheries, drafted under the auspices of the Food and Agriculture Organization of the United Nations (FAO), is a particularly useful tool, and it continues to recommend its use by all national and regional bodies responsible for administering fisheries. We believe that the adoption of this Code will lead to the fair and sustainable management of resources. We thank the FAO for its efforts to promote this Code of Conduct. For our part, we will ensure that the Code governs the relations of the European Community and developing States with respect to fishing activities.

Within the framework of this Code, the main priority is to continue work on an international plan of action to prevent and eliminate illegal, unreported and unregulated fishing. The European Union hopes that the meeting in 2001 of the FAO Committee on Fisheries will lead to the adoption of a dynamic plan that includes a comprehensive set of tools to deal with illegal fishing, including all those already in place or being developed in regional fisheries management organizations. These include, for instance, measures relating to port State control, trade-related measures, and — without prejudice to the essential role of the flag State — measures against nationals engaged in illegal fishing activities.

The European Union considers the issue of marine pollution from land-based sources to be a matter of the great importance. We therefore welcome the quality and richness of the discussions held in the framework of the first meeting of the Informal Consultative Process on ocean affairs. We fully share the view that it is absolutely necessary, in the pursuit of the goal of sustainable development, to make use of a more integrated approach in fighting pollution and the degradation of the marine environment and in combating its harmful effects on health, on the economy and on society.

To this end, we also believe it necessary to promote the effective implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and to ensure that its objectives are adequately and effectively translated into local, national and regional plans of action and fully taken into account in the work of international financial institutions and of bilateral and multilateral donors.

We believe also that the combat against marine pollution from land-based sources can be truly effective only if it is waged at the level of the entire catchment basin, with priority accorded to prevention measures at the source. We therefore favour the development of an integrated approach to coastal zone management and to the catchment basin as a whole that takes into account the ecosystems concerned. In this regard, we deem it essential to promote capacity-building at all levels, particularly the local level, especially in developing countries.

We are concerned, however, at the risks posed by maritime transport activities that do not respect the safety rules prescribed by international regulations. With regard to pollution from vessels, several matters remain to be resolved, despite their social, economic and environmental importance. These relate in particular to the implementation of the relevant international legal instruments, the transport of goods, safety rules, and the rules governing routing and flag changes.

The European Union stresses also the importance of the protection of the underwater cultural heritage. We hope that all interested parties will continue to play an active role in the elaboration of a United Nations Educational, Scientific and Cultural Organization (UNESCO) draft convention.

The European Union welcomes the efforts of the Secretariat to improve the report and the timeliness of its publication. It encourages the Secretariat to find ways and means of making further improvements, in accordance with paragraph 42 of the draft resolution on "Oceans and the law of the sea", which contains suggestions on improving coordination on ocean issues. This year's report and subsequent efforts will confirm our confidence in the ability of the Secretariat to deal with this issue competently and efficiently.

Finally, we would like once again to encourage the continuation of the discussions begun within the

consultative process on oceans and law of the sea, a process which, we believe, has made an important and effective contribution to preparations for, and to the richness of, today's debate.

Mr. Longva (Norway): The entry into force in 1994 of the 1982 United Nations Convention on the Law of the Sea was an event of historic significance. The Convention remains the fundamental legal framework within which all activities related to the oceans must be considered.

The implementation of the Convention involves important parts of the United Nations system. Under the Convention and related resolutions of the Third United Nations Conference of the Law of the Sea, important responsibilities are entrusted to the Secretary-General. In its pertinent resolutions, the General Assembly has requested the Secretary-General to carry out these responsibilities. Different provisions of the Convention assign important tasks with respect to its implementation to competent international organizations, such as the International Maritime Organization (IMO) and the Food and Agriculture Organization of the United Nations (FAO). The institutions established under the Convention itself, including the Meeting of States Parties, have their own specific tasks with respect to its implementation. The General Assembly is the only global body with the competence to undertake overall reviews and evaluations of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea.

In its resolution 49/28, the General Assembly decided to undertake an annual review and evaluation on the basis of a comprehensive report prepared by the Secretary-General. Norway attaches the utmost importance to this mechanism, which is also an implementation of article 319, paragraph 2, subparagraph (a) of the Convention on the Law of the Sea.

Since the entry into force of UNCLOS, the establishment of the institutions created under the Convention has been the main challenge with respect to its implementation. The International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf are now established and working. This is no minor achievement, given the short period of time that has elapsed since 1994.

In the view of the Norwegian Government, the next important task with respect to the implementation of UNCLOS is a follow-up to part XII, on protection and preservation of the marine environment, part XIII, on marine scientific research and part XIV, on development and transfer of marine technology. These are tasks which will require international cooperation at both the global and regional levels. Furthermore, they will necessitate increased national attention and legislative action if we are to make better use of the provisions of these parts of UNCLOS.

An important task with respect to the implementation of UNCLOS is the follow-up to part XIV, on development and transfer of marine technology. Appropriate international funding for ocean research and development is an important aspect of this task. Many States, especially developing States, have a need for advice and assistance in implementing the Convention and developing and strengthening their capabilities in order to enable them to benefit fully from the legal regime for the seas and oceans established by the Convention.

Today, an urgent challenge with respect to development and transfer of marine technology is that of providing the least developed States, including small island developing States, with adequate funding and technical assistance for the submission of technical and scientific data to the Commission on the Limits of the Continental Shelf, in accordance with article 76 of UNCLOS.

We are conscious of the need for States that have a continental shelf which extends beyond 200 miles to devote appropriate national resources to carrying out the preparatory work needed for the submission of information to the Commission. For relevant least developed countries in particular, including small island developing States, this may represent a considerable expenditure in the short term, while having a bearing on the future mapping of the natural resources of the continental shelf. Norway acknowledges the importance of adequate support in this context.

We consider it both timely and appropriate, therefore, to endeavour to take forward, at this General Assembly session, in cooperation with other States, the recommendation from the Tenth Meeting of States Parties to the Convention, to establish a voluntary trust fund intended to assist these States, both in respect of

the scientific and technical requirements to be met in making a submission and of the ability to comply with the time limit set forth in the Convention. We see the establishment of such a fund as a contribution to promoting and implementing important principles of part XIV of the Convention, on development and transfer of marine technology.

I have the pleasure to announce that as soon as the trust fund has been established, Norway will make a contribution of $1 million, subject to Parliamentary approval of the Government's budgetary proposal in the immediate future. We urge other States, as well as international organizations and other bodies, to match this contribution.

There have been important and substantial developments related to the work of the three institutions created by the Convention. We are pleased that the International Seabed Authority was able to complete its sixth session with the adoption, on 13 July 2000, of Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area for mining activities in the Area — the so-called mining code. The Authority is now able to proceed to issue contracts for exploration with the seven registered pioneer investors whose plans of work were approved by the Council of the Authority in 1997.

The International Tribunal for the Law of the Sea is demonstrating an effective role pursuant to the Convention. The Tribunal is one of several means of dispute settlement procedures that States parties may choose under article 287 of the Convention. The burden of costs should not influence the decision on the choice of settlement procedure. We support the establishment of a trust fund to provide financial assistance to States parties for expenses incurred in connection with cases submitted, or to be submitted, to the Tribunal. Norway will also consider contributing to this fund.

As regards the Commission for the delimitation of the outer limits of the continental shelf, we were quite satisfied with the useful, high-quality presentations given by the Commission at its open meeting in New York on 1 May this year. The meeting was intended to familiarize representatives of coastal States with the issue of the delineation of the outer limits of the continental shelf and the functions of the Commission in that respect. The Commission is currently prepared both to accept submissions from coastal States and to provide any scientific and technical advice that States preparing submissions may wish to obtain. Information on the limits should be submitted to the Commission within 10 years of the entry into force of the Convention for that State.

The International Maritime Organization (IMO) is one of the main competent organizations under the Convention and the appropriate forum to address and adopt safety and pollution prevention standards affecting international shipping. Norway welcomes the IMO's substantive work on regulating the prevention of pollution of the marine environment by ships, and appreciated the Organization's follow-up on the proposals instigated in the wake of the sinking of the oil tanker *Erika* in December 1999. As in the past, we are certain of the Organization's ability to act in a decisive and expeditious manner on suggestions put before it.

Norway was among the early ratifiers of the United Nations Agreement on Fish Stocks. We are concerned that today, more than four years after its adoption, it has still not entered into force. We urge other States to ratify and implement the Agreement as soon as possible. At the same time, however, it ought to be stressed again that the status of fisheries on the high seas in certain areas is so alarming that one cannot await the entry into force of the United Nations Agreement in order to take appropriate action. Unregulated fisheries need to be brought under control, and this is a precondition for the sustainable development of fisheries. In this connection, we recognize the strides made by existing regional fisheries organizations and arrangements, such as the North-East Atlantic Fisheries Commission and the North-West Atlantic Fisheries Organization, including the adoption of mandatory vessel-monitoring systems.

We are pleased to welcome the conclusion of successful negotiations on the establishment of new regional fisheries management organizations into heretofore unmanaged fisheries in the South-East Atlantic and the Western and Central Pacific.

In an attempt to further discourage unregulated fisheries on the high seas, Norway adopted regulations stating that an application for a licence to fish in the Norwegian economic zone may be denied or withdrawn if the vessel in question, or its owner, has participated in unregulated fisheries on the high seas involving fish

stocks that are subject to regulation in waters under Norwegian fisheries jurisdiction.

The provisions imply, inter alia, that a given vessel may also be denied a fishing licence in Norwegian waters even if it is operated by persons other than those who participate in the unregulated fishing concerned. Last year, these regulations were amended to include fishing operations that contravene regulatory measures laid down by regional fisheries organizations and with regard to fish stocks other than those subject to regulation in waters under Norwegian jurisdiction. Since this has reduced the second-hand market value of any vessel that has participated in unregulated fishing, it has proved to be an effective tool in combating unregulated fisheries.

Illegal, unregulated and unreported fishing also occurs in zones under the national jurisdiction of coastal States, particularly developing coastal States, in violation of their rights and jurisdiction to conserve and manage the living marine resources in those areas. Norway recognizes the need for capacity-building to ensure that, developing States especially, have the ability to benefit from the sustainable development of their marine resources and to provide assistance to developing States in upgrading their capabilities in monitoring, control and enforcement of fishing regulations.

The technical consultations that took place at the Food and Agriculture Organization of the United Nations (FAO) Headquarters in Rome earlier this month aimed at agreeing on an international plan of action to combat illegal, unregulated and unreported fishing are both timely and necessary. We support the efforts to bring these negotiations to a successful conclusion in time for the adoption of a plan of action by the FAO Committee on Fisheries in February 2001.

The large over-investment and consequently, over-capacity, in the world's fishing fleets is another urgent issue that needs to be addressed. All States should take action in this regard by actively taking measures to bring their fishing fleets in balance with the carrying capacity of available resources. Subsidies leading to over-capacity should be eliminated. Decommissioning schemes should be introduced when appropriate. Norway will continue to participate in a constructive manner in work on this issue, within both the FAO and the World Trade Organization (WTO).

Norway is following closely the work being carried out within a meeting of governmental experts convened by the United Nations Educational, Scientific and Cultural Organization (UNESCO) to consider a draft convention for the protection of underwater cultural heritage. While being conscious of the need to ensure proper protection of that cultural heritage, it is in our view imperative that new regulations in this field must be in full conformity with the relevant provisions of the United Nations Conference on the Law of the Sea, including those concerning the rights and jurisdiction of the coastal State and the rights and freedom of other States in the exclusive economic zone and on the continental shelf, and those concerning the freedom of the high seas. Consensus on this point is essential if a draft text is to be considered for adoption.

Norway is of the opinion that a possible new legal instrument should be linked to the United Nations Conference on the Law of the Sea in the same way as the United Nations Agreement on fish stocks is. We are convinced that the United Nations General Assembly, through consideration of its agenda item on "Oceans and the law of the sea", can and should provide the necessary guidance and coordination to the ongoing work within UNESCO on the protection of the underwater cultural heritage. In our view, the UNESCO General Conference should transmit to the United Nations General Assembly a possible draft text for a new international instrument for appropriate consideration and possible adoption.

The Secretary-General's report on oceans and the law of the sea, which constitutes the basis for our debate today, documents a dynamic and expanding oceans agenda. It is important that the General Assembly be up to this challenge. The question of what form this debate should take in the future has been raised. It is a widely held view that more time and attention should be devoted by the Assembly to the Secretary-General's annual report on oceans and law of the sea. The open-ended informal consultative process established for a three-year period in resolution 54/33 must be seen against this background. Substantive elements that emerged from the first meeting of this process have contributed to a broader understanding of issues covered by the Secretary-General's report.

The review of the effectiveness and utility of the informal consultative process at the fifty-seventh session in 2002 will give us a good opportunity to take

stock of the progress made and to decide the direction to be taken in the future.

Mr. King (Canada): I am pleased to be here today to share with you Canada's perspective on the importance of sound oceans management. Indeed, today's debate provides an excellent opportunity to reflect on our ocean responsibilities — how we care for and manage the seas, now and in the years to come. We have an opportunity as ocean nations, in particular, to renew our global commitment to the sustainable use and responsible development of oceans and their resources.

Canada certainly considers itself to be an ocean nation. We have long had a significant stake in ensuring the health and well-being of our oceans. We are one of the few States in the world that borders on three oceans. Our history and trade are inextricably linked to the sea. Today, our oceans remain the base upon which our coastal communities grow and flourish. We continue to prosper from them. And they still play a key role in shaping our identity as Canadians.

(spoke in French)

But today, Canada, like other nations around the world, is expanding its conception of what our oceans can provide. Traditional activities like fishing and shipping are now being joined by new and rapidly expanding activities like tourism, aquaculture, and oil and gas exportation. While this growth in activity is positive, managing this growth well means striking a sometimes delicate balance. We want to give new ocean activities room to grow and flourish, but we also want to protect our precious coastal and marine environments for future generations.

Other ocean nations also share these concerns. In recent decades, throughout the world, our attitudes towards our oceans have changed. They are no longer seen as limitless. Their increasing vulnerability, over both the short and long terms, is a harsh reality that we are facing at a global level.

(spoke in English)

This vulnerability affects the international community as a whole. That is why we must find solutions as a whole. It is as a community that we must take the steps necessary to conserve and protect this exceptional heritage for present and future generations.

We must do this in two interrelated steps — at the national level and at the international level. It was in this spirit that Canada became the first nation in the world to adopt an Oceans Act in 1997. The Act is our national blueprint for managing the relationship between our land and our three oceans in a fully integrated and sustainable way.

The Act clearly establishes, for the first time, the principles we want to foster in our oceans-management activities, principles like sustainable development and the precautionary and ecosystem approaches. It also gives us the specific legal and regulatory mechanisms we need to make our commitment to healthy oceans a reality. But it does something more.

(spoke in French)

To truly manage our oceans well, we must share the responsibility of stewardship and find ways to actively engage citizens in the process. In Canada, there are a host of interest groups that want to be part of the process. These include governments, industry, municipalities and indigenous communities. In all our activities we must find the best ways to balance these groups' different needs and perspectives, be they social, cultural, environmental or economic.

This is why the Oceans Act provides an effective mechanism to engage these groups in order to come up with the best possible mix of conservation, sustainable use and lasting economic development for our oceans in the years ahead. In short, the Act's commitment to integrated management is helping us to increase Canadians' involvement in the management of our oceans.

(spoke in English)

We are already seeing tangible results through our Integrated Management Programme and our work to identify marine protected areas. But our commitment to integrated management is not confined within our borders. Indeed, the challenges related to Canada's domestic oceans strongly parallel those we face at the international level. That is why we need to find overall "oceans solutions".

The challenge for us as a community is to find ways for diverse interested parties to participate meaningfully in planning and decision-making, while avoiding duplication and waste. This need for improved cooperation and integration on the global front resulted in the creation of the United Nations

Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS). The instruction mandate given to UNICPOLOS by the General Assembly made it very clear that coordination and cooperation should be made a top priority.

(*spoke in French*)

Improved coordination is exactly what we need — locally, regionally and globally. In fact, since Rio in 1992, several international bodies have issued calls to work towards this goal. UNICPOLOS is translating this commitment into reality.

Canada is very pleased with the results of the first UNICPOLOS meeting, which have been carried forward in the draft resolution currently before the General Assembly.

(*spoke in English*)

From that meeting, we have gained the impression that the informality of UNICPOLOS is clearly its strength. We should strive to keep this process informal and encourage more direct exchanges between delegations and experts. In that way, UNICPOLOS can become an effective sounding board for new ideas about international oceans governance.

Take the Global Programme of Action, which was discussed at UNICPOLOS. The Programme encourages States to develop regional and national programmes to prevent, reduce and control land-based activities that degrade the marine environment. In Canada, we attach great importance to the Global Programme. On 8 June 2000 — Oceans Day in Canada — Canada became the first country in the world to develop its own National Programme of Action as part of the Global Programme. Canada's National Programme is giving us a strong and effective mechanism to bring different levels of government together to find cooperative, shared solutions. As a result, numerous initiatives are now in place, with the involvement of all levels of government.

In this context, I am pleased to announce that Canada will host the first five-year intergovernmental review of the Global Programme of Action in the fall of 2001. At this review we will all have the opportunity to measure our progress so far. I would like to take this opportunity to formally invite all Governments to participate in this review.

(*spoke in French*)

Let me now turn to an area of particular concern to Canada: fishing. In the fishing industry, the need to use the tools we have at our disposal is apparent. The problems besetting the world's fisheries are well known: too much capacity, too much killing power, too much rule-breaking and too little cooperation. Fortunately, the solutions to these problems are also known: reduction of capacity, management of stocks throughout their range and conservation measures based on scientific data and effective implementation.

(*spoke in English*)

These solutions have been embodied in three international instruments: the 1995 United Nations Agreement on Straddling and Highly Migratory Fish Stocks, the Compliance Agreement of the Food and Agriculture Organization of the United Nations (FAO) and the FAO Code of Conduct. They are also being addressed in an initiative currently under way in the FAO to create an international plan of action on illegal, unregulated and unreported fishing. UNICPOLOS also had a role to play here, dedicating a panel to this widespread problem.

We are heartened that the 1995 United Nations Agreement on Straddling and Highly Migratory Fish Stocks is rapidly approaching entry into force. The 1995 Agreement is the most important tool we have to deal with the problems facing the world's fisheries. The Agreement's strength lies in several areas: in its guiding principles, such as the precautionary approach, for the establishment of conservation and management measures; in the obligations it places upon all States parties not to undermine conservation and management measures taken by a regional fisheries management organization, whether or not they are a member of that organization; in its non-flag State enforcement regime; and in its binding dispute-settlement procedures.

However, agreements are worth little if they are not ratified and implemented. For its part, Canada ratified the 1995 Agreement in 1999 and has brought its domestic and foreign fisheries policies in line with the Agreement. We are also working hard to ensure that the Agreement is implemented in the regional fisheries-management organizations to which Canada belongs.

Canada would urge all countries to become party to the 1995 Agreement and then work to ensure the full implementation of their obligations under that

Agreement. In particular, States must ensure that the Agreement is fully applied within regional fisheries management organizations.

(*spoke in French*)

Canada is under no illusions with regard to solving the problems of the world's fisheries. We understand the extent of these problems. However, we can and must put an end to the exhaustion of fish stocks. If we fail to do so, it is because we have failed collectively, at the international level, to use the tools available to us.

(*spoke in English*)

And so, just as we look to the future for hope, we can look to the past for inspiration. The protection of the oceans, and the rational use and development of their living resources was a major theme at the 1992 world environmental summit at Rio. Canada believes this theme can and should be an important inspiration in the upcoming Rio +10 Conference in 2002.

I thank you, Sir, for allowing me to share the Canadian perspective on oceans and the law of the sea. As a community of nations, we share a magnificent resource, but one that requires our vigilance and our attention. We owe it to those who will follow us to ensure that we leave them a healthy, productive and sustainable oceans environment.

Mr. Sorreta (Philippines): Our growing populations and our ever-shrinking world have meant added burdens on our seas and oceans. Our seas remain an important source of sustenance and resources. Trade and commerce, the lifeblood of our globalized world, flow through our oceans at an increasing rate. Changes in the weather and environmental conditions in the seas bear indelibly on the rest of the globe.

The stakes continue to remain high as we carry on with our common effort to establish policies and norms for the peaceful, orderly, fair and sustainable use of our seas and oceans. These efforts were given a boost when we established and held this year the first meeting of the United Nations Open-ended Informal Consultative Process on Ocean Affairs and the Law of the Sea to review developments in ocean affairs. Participation in that meeting was almost universal and experts from virtually all disciplines relating to the seas and oceans were present. The Philippines looks forward to the next meeting in this Consultative Process. We are very pleased that agreement could be reached in draft resolution A/55/L.10 on the subjects for the next meeting of the Process. We welcome in particular the inclusion of the issue of the development and transfer of marine technology and capacity-building. I am confident that we will be able to focus our discussions and arrive at meaningful results.

Meaningful results are what we need when it comes to the problems relating to unauthorized fishing in zones of national jurisdiction and on the high seas, and to illegal, unreported and unregulated fishing. The living marine resources of my country are under siege. Our marginal and traditional fisher-folk have to stay longer and go farther out to sea, and even then are not assured of any catch. This affects almost all of the fishing communities in my country and threatens the livelihood, the social and family well-being, as well as the very lives of a very large number of my countrymen.

We take our duty to protect our seas very seriously and exert every effort to prevent illegal fishing. We also actively participate in regional efforts to stem the flow of illegal fishing. However, we believe that the flag States have a responsibility to bear when their ships ignore established laws and disregard the welfare of the environment.

In this regard, the Philippines strongly supports the call in draft resolution A/55/L.11 on States to ensure that fishing vessels entitled to fly their flag do not fish in areas under the national jurisdiction of other States, unless duly authorized by the States concerned, and that they do not fish on the high seas in contravention of the applicable conservation and management measures.

We would like to express our appreciation to those flag States that have adopted measures to implement this call. We appreciate in particular those States which included the measures they have taken in the report of the Secretary-General in document A/55/386.

Rules and standards are indeed important and every State has actively sought to establish these in our seas and oceans. Of particular significance for my country are the determined and dedicated efforts of the small island developing States. They are the custodians of large areas of the world's oceans and have a high share of global biodiversity.

Because of the sensitivity of their environment and the delicate nature of their biodiversity, the small island developing States have exerted every effort and exercised great care in trying to establish higher standards in a variety of forums, even in one such as the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, where they proved to be effective advocates in protecting our oceans from nuclear waste. The norms and practices that they create in protecting the biodiversity of the small island developing States should serve as a benchmark for everyone's own efforts to do the same.

We are heartened by the inclusion in the agenda of the next meeting of the Consultative Process of the item on coordination and cooperation in combating piracy and armed robbery at sea. We also welcome the continued emphasis given in draft resolution A/55/L.10 on the problem of piracy. This is a problem that has reached serious and alarming levels in recent years.

The issue of piracy and armed robbery against ships is high on the agenda of the Philippine Government and is being handled at the cabinet level, where a process is being initiated whereby we will adopt a national plan of action to address piracy and armed robbery against ships. This national action plan will involve policies, strategies and the establishment of the necessary infrastructure and operational arrangements for preventing and suppressing piracy attacks and armed robbery against ships within and beyond Philippine waters.

While the seas are a source of life and sustenance, they can, ironically, also be a source of potential conflict. At the last session of the General Assembly, the Secretary-General concluded in his report on oceans and the law of the sea that it is particularly important that States agree on secure maritime boundaries, since such agreements contribute to the promotion of peace and stability at the regional level.

For the Philippines, secure maritime boundaries mean exactly that: boundaries that are established by law and agreement and not boundaries that are secured or imposed by force alone. Securing maritime boundaries is a difficult process. This process is made even more difficult when disputes over boundaries are coupled with territorial claims. As a country surrounded by seas on all sides, the Philippines continues to exert every effort to negotiate with its neighbours on our boundaries. Some negotiations are more difficult and infinitely more complex than others.

The conflicting claims to the South China Sea present one of the more demanding challenges to our efforts to secure our maritime boundaries. We base all our actions on the need to settle these disputes peacefully, in accordance with international law, including the United Nations Convention on the Law of the Sea (UNCLOS), and to continue to exercise self-restraint in the conduct of activities in the South China Sea.

In this regard, the Philippines has proposed the adoption of a regional code of conduct, which we hope will lay the foundation for long-term stability in the ocean and sea areas and foster greater trust and understanding among claimant countries. The leaders of the Association of South-East Asian Nations (ASEAN), at their Sixth ASEAN Summit, agreed to promote efforts to establish this code of conduct among the parties directly concerned. Earlier this month, the ASEAN-China Working Group on the Regional Code of Conduct on the South China Sea met once again and succeeded in narrowing differences on fundamental issues.

The Philippines expresses its appreciation to all States that have continued to take an interest in the peaceful, just and meaningful resolution of the conflicting claims in the South China Sea, particularly those that have helped to advance the dialogue on this issue by organizing and sponsoring meetings and discussions in informal and academic forums.

For the Philippines, the seas are not just a source of profit or business, but an important component of my country's food security and natural environment. In this context, we view draft resolution A/55/L.11 as a totality, with each component an indispensable part of the whole. The Philippines is a sponsor of that draft resolution, will support it in its entirety and hopes that others will do likewise. We have also been a traditional sponsor of draft resolution A/55/L.10 and hope that it will be adopted with the widest support possible.

As I said earlier, the stakes remain high, but we are confident that we are moving in the right direction. Our collective efforts are greatly aided by those who make sure that attention continues to be focused on our seas and oceans. We are thankful for the reports of the Secretary-General under the agenda item "Oceans and the law of the sea", as these help us understand where

we are and assist us in deciding where we want to go in the future. We also deeply appreciate the efforts of specific countries — particularly the delegations of Argentina, Australia, Guyana, New Zealand and the United States — in coordinating the crafting of the two draft resolutions before us, a task that was full of challenges. We also appreciate the active role played by the Group of 77 in the work on these draft resolutions.

The Chairman of the Meeting of UNCLOS States Parties and the co-Chairmen of the Consultative Process must also be commended for their hard work on behalf of our seas and oceans, and of course we must express our appreciation and recognize the hard work of the Division for Ocean Affairs and the Law of the Sea, whose dedication, expertise and professionalism are proving to be the glue that binds all our efforts. Even though we continue to expand the dialogue and venue on the law of the sea and on the oceans, we must remain focused on the fundamental need to protect our seas and oceans. This should remain our basic premise and should guide us in our future work.

Mr. Ingólfsson (Iceland): At the outset, I would like to commend the Secretariat, in particular the very able staff of the Division of Ocean Affairs and the Law of the Sea, for the comprehensive report on the oceans and the law of the sea. In our view, the report is a good basis for the annual debate in the General Assembly. I would also like to acknowledge the professional manner in which the coordinators conducted the informal consultations on the resolutions.

The oceans are receiving growing attention in the General Assembly. We welcome this development. The oceans are of particular importance to Iceland, as our economy is based on the sustainable harvesting of living marine resources. The health and responsible stewardship of the oceans are therefore of critical importance to Iceland.

At the fifty-fourth session of the General Assembly, we went through a substantial discussion on whether there was a need to improve coordination and cooperation in the area of ocean affairs, and if so, how it could be carried out. It was concluded that more time was needed to discuss the report of the Secretary-General on the oceans and the law of the sea. It was also agreed that there was a need for more active participation on the part of experts from capitals in such discussions, including legal advisors, experts in ocean affairs and environment experts. For this purpose, the General Assembly adopted resolution 54/33, establishing for three years an informal consultative process to discuss the Secretary-General's report.

Iceland took an active part in the preparation of resolution 54/33 and in the subsequent first meeting of this informal process last May. Generally speaking, we were satisfied with the first meeting of the informal process and would like to use this opportunity to thank the two Co-Chairmen, Ambassador Neroni Slade and Mr. Alan Simcock, for their valuable contribution including the report of the meeting.

My Government is, however, very concerned over the direction in which the subsequent debate here in the General Assembly seems to be moving. To be more specific, in the informal consultations this fall, several countries attempted to develop a general resolution on the fishery sector. My Government shares the concern of many countries over the state of the oceans and of fish stocks in some regions. My Government also understands the position of those countries pressing for a more active role of the General Assembly in the area of fisheries. Most of those countries are industrial countries, some of which have depleted or even lost fish stocks due to over-fishing. Many of them have over-capacity in their fisheries, leading them to send their fishing fleets to distant waters. Those countries should, however, not seek to export their problems or make generalizations on the state of fisheries on a global level. The fact that those countries have experienced difficulties does not mean that fisheries are not being managed in a sustainable manner in other regions of the world.

We have to bear in mind that for many countries fisheries are the main or a fundamental economic sector. In the case of my country, Iceland, fisheries represent over 70 per cent of our total exports of goods. Fisheries are also of fundamental importance for many developing countries. In more than 20 countries, fisheries exports account for between 10 and 75 per cent of total merchandise exports. In another 38 countries, fisheries exports contribute between two and nine per cent of trade receipts.

Fisheries are particularly important for the developing countries for their livelihood, food security and foreign exchange earnings. They provide the prime

source of animal protein for one billion people in the developing world. Of the 30 countries most dependent on fish as a protein source, all but four are in the developing world. In value terms the developing countries accounted in 1996 for more than half of the total world exports of fish and fish products.

We cannot expect these countries or other countries where fisheries are of fundamental economic importance to be subjected to micro-management of their economies by the General Assembly. Let me ask a question: Should the General Assembly pass annually or biannually an open-ended resolution on agriculture or industry in general or the oil industry, to name just a few examples? These sectors are of strategic importance to many countries, just as fisheries are to Iceland and many other coastal States.

This is not to say that the Government of Iceland is against all discussion in the General Assembly on issues that concern fisheries. But, we should focus such discussions on specific issues that have global implications and not on issues that fall within the purview of sovereign rights of States. The General Assembly should address issues that are global in nature and can only be resolved through global cooperation. We should thus discuss marine pollution, which respects no boundaries and must therefore be met with global action. We should also discuss needs to set a level playing field for the fishery sector that encourages sustainable fisheries globally, such as the need to remove fishery subsidies. Further examples can be identified.

Conservation and sustainable utilization of living marine resources are, on the other hand, a local and regional matter. We cannot therefore accept opening the door for global micro-management of fisheries, which are subject to the sovereign rights of States or under the responsibility of regional fisheries management organizations. My Government stands firmly against any attempts in the General Assembly to pass resolutions of such nature.

In this context, we must bear in mind that the Convention on the Law of the Sea provides the legal platform on which we must base all our deliberations. It is imperative that the Convention be fully implemented and that its integrity be preserved. We welcome the ratification of the Convention by three more States, which brings the total number of States parties to 135. We urge Member States of the United Nations that still have not ratified the Convention to do so.

In our view the Agreement on straddling fish stocks and highly migratory fish stocks is also of paramount importance as it provides a framework for conservation and management of all stocks by regional fisheries management organizations. Only two additional ratifications are now needed for the entry into force of this agreement. We encourage States that still have not ratified it to do so.

We note with satisfaction that the three institutions established under the Convention on the Law of the Sea are functioning well. The International Tribunal for the Law of the Sea has already dealt with five cases in an expeditious and effective manner. The International Seabed Authority has recently adopted the so-called mining code, and we look forward to further substantive work on the part of the Authority.

Iceland has also followed with keen interest the work of the Commission on the Limits of the Continental Shelf. The Commission has adopted its rules of procedure and scientific and technical guidelines and is ready to receive submissions from coastal States with information on the outer limits of the continental shelf beyond 200 nautical miles. To facilitate the work of coastal States in the preparation of submissions, the Commission held a successful open meeting last spring and recently adopted in outline a five-day training course on the delineation of the outer limits of the continental shelf. Iceland is willing to assist in developing further such a training course.

The implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activity of marine pollution has fallen short of expectation. Next year an intergovernmental review will take place on the progress of the implementation of the Global Programme of Action. It is important that this review lead to a renewal of commitments to the implementation of this very important programme. Pollution from land-based activities is the most serious and imminent threat to ocean habitats and biological diversity and represents between 70 and 80 per cent of all marine pollution.

It is imperative that States, intergovernmental organizations and United Nations agencies and programmes and other stakeholders take an active part in the 2001 intergovernmental review.

In conclusion, we emphasize that we must act with caution when seeking to improve our coordination and cooperation in the area of ocean affairs and the law of the sea. These issues must be addressed at the appropriate level and in a manner consistent with the rights and obligations set out in the Convention on the Law of the Sea and other relevant international agreements. That entails full respect for the sovereign rights of States over their living marine resources and for the competence of existing international organizations.

Mr. Palanimanickam (India): My delegation has joined in sponsoring the draft resolution contained in document A/54/L.10. We welcome the comprehensive and informative reports of the Secretary-General on matters relating to the oceans and the law of the sea. However, we note that the report contained in document A/55/61 was prepared in March 2000. Several noteworthy and important developments relating to the institutions established under the United Nations Convention on Law of the Sea have taken place. The 1982 United Nations Convention on the Law of the Sea is the cornerstone of the international legal regime relating to the oceans and seas. Given the importance of the Convention, the need for its universal acceptance cannot be overemphasized. My delegation notes with satisfaction that the number of States party to the Convention continues to increase steadily and to move closer to the ultimate goal of universal acceptance. However, we note that many States whose provisional membership, under the terms of the 1994 Agreement relating to the implementation of Part XI of the Convention, has since expired, have not so far taken the necessary steps to become parties to the Convention.

The unified character of the Convention must be maintained in order to ensure its effective and uniform implementation. It is essential for States parties, as a matter of priority, to harmonize their national legislations with the provisions of the Convention, in order to ensure the consistent application of those provisions.

My delegation is pleased to note that all the institutions provided for under the Convention, namely, the International Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf, have been established and have completed work on the various administrative and institutional matters essential for their proper and effective functioning. Thus, all the institutions are now fully functional, and in a position to carry out the substantive mandates assigned to them under the Convention.

We welcome the adoption by the International Seabed Authority, at its resumed sixth session, of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area, popularly referred to as the seabed mining code. The code constitutes the most important substantive basis for carrying out the functions of the International Seabed Authority, and with its completion, the Authority is now in a position to conclude formal contracts with the registered pioneer investors. India, the first State to be registered as a pioneer investor in 1987, had its plans of work for exploration of the mine site in the Indian Ocean approved by the Authority in 1997, and having fulfilled all the obligations under the Convention, the Agreement relating to Part XI, and resolution II, is eligible to obtain an exploration contract for its mine site. The Authority also approved, at this session, the Rules of Procedure of the Legal and Technical Commission, its Staff Regulations and elected 20 members to serve on its Council for a four-year term beginning in 2001. India was elected as a member of the Council in Group B representing States which have made the largest investment in seabed mining. We also wish to congratulate Ambassador Satya Nandan for his unanimous re-election as Secretary-General of the Authority and to assure him of our full cooperation.

The Commission on Limits of the Continental Shelf has adopted its Scientific and Technical Guidelines, which deal with the methodologies stipulated in Article 76 of the Convention for the establishment of the outer limits of the continental shelf, and are intended to assist coastal States regarding the technical nature and scope of the data and information that they need to submit to the Commission while submitting claims regarding the outer limits of their continental shelf. Thus, the Commission is now ready to accept submissions from coastal States and also to provide scientific and technical advice to States in preparing their submissions.

The open meeting on delineation of the continental shelf organized by the Commission on the Limits of the Continental Shelf at its seventh session, was particularly useful. It provided an opportunity for delegates to interact with members of the Commission.

to ascertain their views regarding the interpretation and application of the Scientific and Technical Guidelines, and to obtain first hand information on the issues relevant to the preparation by coastal States of submissions to establish the outer limits of their continental shelf beyond 200 nautical miles. This will assist States in preparing their submissions to the Commission. The Commission has also prepared the outline of a five-day training course that will be of practical benefit to coastal States in training their personnel through development of the requisite knowledge and skills.

Turning to the International Tribunal for the Law of the Sea, we note that the Tribunal has become a functioning judicial institution in the short time since it was inaugurated in October 1996. It has already heard five cases involving many important issues, such as the freedom of navigation and other internationally lawful uses of the seas, the enforcement of customs laws, re-fuelling vessels at sea and the right of hot pursuit, and was able to deliver its orders and judgements in these cases very expeditiously. We note that the Tribunal's new premises were officially opened on 3 July 2000, and appreciate the facilities provided by the host country, Germany, to enable the Tribunal's efficient functioning. With the conclusion of the agreement on the use and occupancy of the new premises, which was signed last week, the Tribunal will soon begin functioning from its new premises.

As noted in the report of the Secretary-General, the over-exploitation of living marine resources and excess fishing capacity continue to be a matter of grave concern. In addition, the prevalence of illegal, unregulated and unreported fishing is a severe problem affecting world fisheries, particularly those of developing countries, and is likely to have far-reaching adverse consequences for the long-term sustainable management of their fisheries. The Agreement on the conservation and management of straddling fish stocks and highly migratory fish stocks was a significant development in the implementation of the United Nations Convention on the Law of the Sea, and its early entry into force and implementation could help reverse the trend of overfishing in many areas. The Government of India is presently examining the Agreement with a view to acceding to it.

As a member of the Indian Ocean Tuna Commission and the Western Indian Ocean Tuna Organization, India is cooperating with the States of the region in the conservation and management of fishery resources. The Code of Conduct for Responsible Fisheries, adopted by the United Nations Food And Agriculture Organization (FAO) in 1995, and the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas need to be acceded to and applied with immediate effect. It is a matter of concern that overfishing continues to take place, in contravention of applicable regional conservation regimes, and that States are not meeting their obligations to ensure compliance by their flag vessels and nationals. The implementation of these Agreements will guarantee the enforcement of the rights of developing country coastal States. Technical and financial support must be extended to developing countries for capacity-building for development of their fisheries. We further believe that small-scale fisheries, including subsistence fisheries, should be protected, in view of their social and economic importance to coastal populations in developing countries.

Recognizing that issues relating to oceans and seas are highly complex and interrelated and need to be considered in an integrated manner, the General Assembly, highlighting the need to respect the international legal framework established by the United Nations Convention on the Law of the Sea, established by resolution 54/33 the open-ended informal consultative process, in order to facilitate its annual review of developments in ocean affairs in an effective and constructive manner. The first meeting of the Open-Ended Informal Consultative Process identified for detailed, in-depth consideration the topics of conservation and management of marine living resources, including illegal, unreported and unregulated fisheries, and marine pollution. For its second meeting the topics of marine science, including capacity-building, transfer of technology and piracy have been identified for consideration. We note that the effectiveness and utility of the Informal Consultative Process will be reviewed by the General Assembly at the fifty-seventh session.

Mr. Pham Binh Minh (Viet Nam): First of all, my delegation would like to express its appreciation to the Secretary-General for the comprehensive and informative report contained in document A/55/61. I would also like to express our satisfaction with the tremendous effort and valuable contribution made this

year by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs and other international institutions relating to the questions of oceans and the law of the sea.

Viet Nam acknowledges with satisfaction that the large number of States parties to the 1982 United Nations Convention on the Law of the Sea, the 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 and the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks reflect not only the great significance of the Convention and its instruments, but also the universal acceptance of this legal framework. Moreover, they constitute a basis for building a new global maritime order for the international community and play a pivotal role in protecting the marine environment, preserving marine living resources and promoting the peaceful settlement of maritime disputes.

With regard to the institutions established under the Convention — namely, the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf — my delegation welcomes the progress made in the past year. My delegation welcomes the adoption of a set of Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area by the Assembly of the International Seabed Authority, which met in Kingston, Jamaica, on 13 July 2000. This is the first code ever elaborated to regulate activities relating to mineral resources on the ocean bottom beyond the jurisdiction of any nation. The new regulations are aimed at protecting deep seabed resources as the common heritage of mankind. We also note with satisfaction that the Authority is now in a position to proceed to issue contracts for exploration to registered pioneer investors in accordance with those regulations.

At the tenth meeting of the States parties to the Convention, held in May this year, the budget for the International Tribunal for the Law of the Sea for 2001 was adopted. My delegation is encouraged by the achievements being realized by the International Tribunal for the Law of the Sea and believes that they will continue steadily in the future. It is noteworthy that, with the consideration of five cases, more and more States are seeking recourse to the Tribunal for the settlement of disputes relating to the oceans and seas.

As a coastal State with a broad continental shelf, Viet Nam attaches great importance to the work of the Commission on the Limits of the Continental Shelf. Since its establishment in 1997, eight sessions of the Commission have been held, and the Commission has made considerable efforts in its organizational work and in carrying out its mandate. My delegation believes that the amendments to its Rules of Procedure, which were adopted during the eighth session, will effectively enhance the work of the Commission. Likewise, the adoption of the Scientific and Technical Guidelines provides assistance to coastal States on the technical nature and scope of data and information to be submitted to the Commission. For developing countries, training is critical to attain the necessary skills for preparation of submissions to the Commission. Therefore, assistance in this field is urgently needed.

The 1982 United Nations Convention on the Law of the Sea and its relevant instruments have enjoyed the strong and effective support of the Government of Viet Nam. Viet Nam always considers the Convention as a framework for national, regional and global activities in the maritime areas and continental shelves.

It is of great importance that the 1982 United Nations Convention on the Law of the Sea be seriously observed by States parties. Under the Convention, States parties, among other things, are to respect other parties' sovereignty, sovereign rights and jurisdiction over their maritime areas, continental shelves and exclusive economic zones. Unilateral activities, declarations and arrangements on the part of States are required to conform strictly to the provisions of the Convention. Therefore, those that run counter to the provisions of the 1982 United Nations Convention on the Law of the Sea and its annexes are considered as null and void by Viet Nam. Being a State party to the Convention, Viet Nam always respects the provisions of the Convention and fulfils its international commitments, and it therefore demands that other parties do likewise.

On the basis of the provisions of the 1982 United Nations Convention on the Law of the Sea, the Government of Viet Nam continues to adopt new laws and regulations and to amend outdated ones to further the harmonization between national law and

international law of the sea. In implementing its national programme of maritime affairs, my Government places high priority on educating the people about optimal exploitation as well as about the management and preservation of marine resources and the marine environment.

My Government also focuses on developing regional and international cooperation in marine scientific research and technology transfer, fisheries and oil exploration and exploitation. Wishing to create a favourable environment based on mutual understanding and confidence for future settlement of disputes regarding maritime boundaries in the Eastern Sea (South China Sea), Viet Nam is exerting great efforts to cooperate with China and with other members of the Association of South-East Asian Nations (ASEAN) to develop a regional code of conduct on the South China Sea. We fully support the 1992 ASEAN Declaration and the 1997 ASEAN-China Declaration on the principles for resolving disputes in the South China Sea.

My delegation would like to confirm the willingness of the Government of Viet Nam to extend its full cooperation for the effective implementation of the 1982 United Nations Convention on the Law of the Sea. We assure the Assembly of our Government's commitment to the promotion of an orderly regime for the oceans in a spirit of mutual understanding and cooperation, as stated in the Convention.

Mr. Su Wei (China) (*spoke in Chinese*): The Chinese delegation wishes at the outset to thank the Secretary-General for his report on oceans and the law of the sea (A/55/61), which provides a very useful basis for our consideration of the agenda item before us.

The world's oceans and seas are of paramount importance to the survival and development of human society. As a populous developing country, China, like other countries, attaches great importance to the exploration, utilization and sustainable management of marine resources, the protection of the marine environment and marine scientific research. All these elements have been integrated into our national strategy and programme for social and economic development. The Convention on the Law of the Sea and other relevant agreements, rules and regulations constitute the legal framework for, and the basic content of, modern international law of the sea. More than 130 countries have thus far ratified or acceded to the United Nations Convention on the Law of the Sea, and we are proud to be one of them.

Now, I should like to express the views of the Chinese Government on a number of points. First of all, we highly appreciate the progress made in the work of the International Seabed Authority. The regulations for prospecting and exploration for polymetallic nodules in the Area, adopted at the sixth session of the Authority, held in July this year, further concretized the concept of the common heritage of mankind, as enshrined in the Convention, and provided operational rules to be followed in the exploration and exploitation of international seabed resources. At the same time, we must realize that the Authority faces a very heavy workload in coming years. Not only must it conclude exploration contracts with the pioneer investors concerned, consider exploration applications from other countries and supervise exploration activities of contractors in the Area, but it must also initiate at the appropriate time the development of regulations on prospecting for marine resources other than polymetallic nodules. We look forward to the Authority functioning smoothly and achieving tangible results.

Turning, secondly, to the management and sustainable exploitation of marine living resources in areas beyond national jurisdiction, commendable results have been achieved over the past few years. The 1995 Agreement for the implementation of provisions of the United Nations Convention on the Law of the Sea relating to the conservation and management of straddling fish stocks and highly migratory fish stocks represents an important complement to and development of the Convention on the Law of the Sea. A number of regional regimes for the conservation and management of marine living resources are coming into being or are being strengthened. The Chinese Government has always highly appreciated the importance of the preservation and sustainable exploitation of marine living resources, and has been an active participant in the activities of the relevant fisheries management organizations. We are of the view that illegal, unregulated, unreported fishing activities have a severe adverse impact on the effectiveness of measures for the sustainable management and exploitation of marine living resources. We hope that coordination among United Nations agencies and regional fisheries organizations

will be strengthened so that the problem can be properly addressed.

Thirdly, I would like to say a few words about the Open-ended Informal Consultative Process on Oceans and the Law of the Sea. I wish first of all to congratulate the Co-chairpersons on the way in which they guided the first meeting of the Informal Consultative Process, during which useful discussions were held and positive progress made on a variety of topics, such as fisheries, environmental protection, scientific research, capacity-building, the suppression of crime at sea and the strengthening of regional cooperation. We hope that the Informal Consultative Process, in the spirit of resolution 54/33, will include in-depth discussions on oceans and the law of the sea.

Fourthly, we greatly appreciate the work of the International Tribunal for the Law of the Sea. The manner in which the Tribunal decided the Saiga cases, the Southern Bluefin Tuna cases and the Camouco case brought by Panama against France clearly illustrates the effectiveness of the Tribunal. We hope and believe that the Tribunal will play a greater role in the settlement of maritime disputes and in the maintenance of the international maritime order. We warmly congratulate the Tribunal on its move to its new permanent premises, and hope that this will mark a new starting point for its work.

As we enter the new millennium, we see an ever closer relationship between the oceans and the survival and development of mankind. Within the framework of the United Nations Convention on the Law of the Sea, the international community should make every effort to ensure that the oceans and seas better serve the interests of mankind and help bring about a healthy, stable international maritime order for the twenty-first century.

Mr. Suh Dae-won (Republic of Korea): My delegation welcomes this annual opportunity to review developments in the field of oceans and the law of the sea. The Secretary-General's report (A/55/61) accurately reflects the developments that took place during the period it covers, providing us with useful references for the consideration of this important agenda item. My delegation would like to thank the Secretary-General and the staff of the Division for Ocean Affairs and the Law of the Sea for their arduous efforts in preparing this comprehensive and informative report.

We take note of another report (A/55/274) before us this year, submitted by the Co-Chairpersons of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea for deliberation as part of this item. The first meeting of the Consultative Process was held from 30 May to 2 June of this year, and my delegation congratulates the Co-Chairpersons on its successful conclusion.

We note with satisfaction that international acceptance of the 1982 United Nations Convention on the Law of the Sea and the Agreement relating to the implementation of Part XI of the Convention has slightly increased over the past year, as three more States have acceded to it. The number of States parties to the Convention has now reached 135, which represents more than two thirds of the members of this body. While the gradual increase in the number of parties to the Convention represents a trend towards universal participation, it is our hope that the incremental progress towards the goal of universality will be accelerated with the ratification or accession of the remaining States.

It is important for the Convention to attain universality and maintain its unified character in order for it to develop into an effective global norm that ensures a stable and peaceful maritime order. In this regard, my delegation fully supports the call in paragraph 3 of draft resolution A/55/L.10 for the harmonization of national laws with the provisions of the Convention and for its consistent application. Encircled by seas on three sides, the Republic of Korea attaches great importance to maritime matters and considers it crucial to interpret and apply the Convention faithfully in its letter and spirit. We believe that as the charter and universal code for ocean affairs, the Convention should be fully respected by all members of the international community.

The three institutions of the Convention, namely the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf, have made substantial progress over the past year, strengthening and consolidating the institutional basis for their future activities. Particularly notable is the approval by the Authority of the Regulations on Prospecting and Exploration for Polymetallic Nodules during the second part of its sixth session last July.

Furthermore, the International Seabed Authority has almost completed its administrative work, such as the approval of its financial regulations and the adoption of staff regulations and the rules of the procedure of the Legal and Technical Commission. My delegation is satisfied with this achievement, which will allow the Authority to focus on more substantive work in future.

As a member of the Council of the Authority, the Republic of Korea has actively participated in all the work of the International Seabed Authority this year, fulfilling its obligations as a registered pioneer investor under the Convention and the Agreement by submitting a periodic report on its activities in the pioneer area and reporting on the progress of four trainees. My Government is now carefully studying the draft contract for exploration prepared by Ambassador Satya Nandan, the Secretary-General of the Authority, and will sign it in due course. We believe that the signing of the contract for exploration by all the registered pioneer investors will mark a milestone in human efforts to explore the deep seabed, one of the most precious common heritages of mankind.

The International Tribunal for the Law of the Sea, for its part, has undergone an important change this year through its move to a new headquarters built by the Government of the Federal Republic of Germany. My delegation would like to take this opportunity to express its deep gratitude to the German Government and the Free and Hanseatic City of Hamburg for their efforts and dedication to the efficient functioning of the Tribunal. In addition, this year has witnessed another adjudication by the Tribunal, namely that of the *Camouco* case, which concerns article 292 of the Convention on the prompt release of vessels and crews. As the number of cases dealt with by the Tribunal grows, its authority concerning the interpretation and application of the Convention and the Agreement seems to be increasingly strengthened. We hope that its unique role in settling maritime disputes will be enhanced as more cases are referred to it by States.

We are also pleased to note that the Commission on the Limits of the Continental Shelf has made headway this year in its task of assisting coastal States' submissions on the limits of extended continental shelves under article 76 and annex II of the Convention.

Crimes at sea — piracy and armed robbery in particular — are rampant in certain regions of the world and represent a serious threat to the lives of seafarers, the safety of navigation and the security of coastal States. It is particularly worrisome that, despite efforts by the international community to suppress these violent acts, there is still no sign of a significant decrease. My delegation fully supports a leading role for the International Maritime Organization in this area and urges the international community, regional organizations and States in affected regions in particular to intensify their efforts to prevent and eradicate piracy and armed robbery at sea, with a renewed emphasis on inter-agency and inter-State cooperation.

During the first meeting last May of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, its focused approach on illegal, unreported and unregulated fisheries and the impact of marine pollution and degradation in coastal areas successfully drew the attention of all its participants. In this respect, my delegation welcomes the recommendation in paragraph 41 of draft resolution A/55/L.10, which suggests two agenda items for the second meeting of the Process next year, namely, marine science and the development and transfer of marine technology, and coordination and cooperation in combating piracy and armed robbery at sea.

With the inauguration of the Informal Consultative Process, the international community has another important forum to take stock of the status of ocean affairs and the law of the sea and to seek solutions in a concerted manner. My delegation hopes that the Process will effectively address the major challenges facing humankind in the field of the oceans and seas with the full participation and cooperation of States and international organizations.

My delegation considers inter-State cooperation to be indispensable for the secure and effective implementation of the Convention at the global and regional level. In this respect, we welcome the signing, in early August, of the new fisheries agreement between my country and the People's Republic of China. This agreement will help the conservation and rational management of fishing stocks in the seas between the two countries. It is also noteworthy that important negotiations on maritime boundary delimitation between my country and neighbouring States are now under way for the purpose of ensuring

the eventual legal stability of the seas of North-East Asia within the framework of the Convention.

In conclusion, I would like to stress the increasing importance of the 1982 Convention for all activities in the oceans and seas and for the coherent management of ocean affairs. I would also like to take this opportunity to reiterate the willingness of my Government to lend its unreserved support to all the endeavours by the international community to promote the uniform and consistent implementation of the Convention and to establish a peaceful and orderly maritime regime throughout the world in a spirit of understanding and cooperation.

Mr. Tupou (Tonga): I have the honour to make this statement on behalf of the countries of the Pacific Islands Forum that maintain Permanent Missions at the United Nations in New York: Australia, Fiji, the Marshall Islands, the Federated States of Micronesia, Nauru, New Zealand, Papua New Guinea, Samoa, Solomon Islands, Vanuatu and my own country, Tonga.

As the Pacific Group has stated on numerous occasions, the ocean is of immense importance to us. The ocean is our traditional provider, and its bounty continues to be the principal resource for the ongoing survival of many of our people. We are a diverse group of countries, separated by great distances. Despite this, we share a common bond: the Pacific Ocean. While many of the countries in our Group have small land masses, the countries of the Pacific Islands Forum are the custodians of a great expanse of the world's oceans, with our collective exclusive economic zones amounting to more than 30 million square kilometres. Our joint responsibility over this vast area unites us in a common purpose.

The Pacific Group has continued over the past year to demonstrate its commitment to the Convention and, more generally, to oceans and sea issues. Delegations within our Group have been active in almost every endeavour currently taking place on the United Nations agenda on oceans and the law of the sea, and in many instances have taken on active leadership roles.

Our delegations welcomed the initiative of the Secretary-General, in the context of the Millennium Summit, to encourage States to rededicate themselves to the multilateral treaty framework and thereby contribute to advancing the international rule of law by signing and ratifying treaties to which they were not already party. To assist States, the Secretary-General identified a list of 25 core treaties most central to the spirit and goals of the Charter of the United Nations. Many in our Group took this opportunity to enhance our support for this multilateral framework by signing and ratifying treaties at the Summit.

We feel, however, that it is necessary to signal our view that there was a serious omission from this list of core treaties: the Convention on the Law of the Sea and its implementing agreements. In our view, no treaty is more central to the spirit and goals of the Charter than the Convention, providing, as it does, a legal order for nearly three quarters of the earth's surface, and settling all issues relating to the law of the sea, including issues of peace and security, conservation and management of resources and the study and protection of the marine environment, in a balanced and integrated manner. We call on all States that have not done so to ratify and implement this key treaty in order to fulfil the goal of universal participation.

The members of the Pacific Group are sponsors of both draft resolutions to be adopted under today's agenda item, and we have participated actively in the informal consultations on both.

As we indicated in our statement last year, the Pacific Group considers the annual review by the General Assembly of developments in oceans and the law of the sea to be very important, as the General Assembly is the only body within the United Nations system that can bring together all the complex and interrelated aspects and activities. We thank the Secretary-General for his annual comprehensive report, which we continue to see as the key to the proper exercise of the General Assembly's responsibilities.

Our Group is most satisfied with the developments that have taken place over the past year to facilitate this review and enhance the General Assembly's ability to maintain an effective overview of this important subject matter. We refer, of course, to the newly established Open-ended Informal Consultative Process on Oceans and the Law of the Sea, also known as UNICPOLOS. We are pleased to see from the two draft resolutions that the output of this Consultative Process has been very useful to the General Assembly in the preparation of the draft resolutions, resulting in more substantive and focused drafts. We welcome these developments, while noting

that the draft resolutions remain very firmly within the framework of the Convention and its implementing agreements.

The past year has, as always, been a busy year for the institutions established under the Convention and the various competent organizations charged by the Convention with tasks and responsibilities. The Tenth Meeting of States Parties to the Convention took place in May under the presidency of Ambassador Peter Donigi of Papua New Guinea. The Pacific Group notes with satisfaction that, in addition to the most important administrative tasks assigned to it under the Convention, the Meeting of States Parties is increasingly having to deal with a range of other important issues relating to the Convention. As the report of the Tenth Meeting shows, the Meeting of States Parties has had considerable discussions on subjects such as a trust fund for providing assistance in proceedings before the Tribunal; financing the participation of members of the Commission on the Limits of the Continental Shelf from developing countries; providing technical assistance and training for developing States regarding the preparation of submissions to the Commission; and the 10-year time limit under article 4 of annex II to the Convention.

This last issue is of particular interest to a number of our Group, and we look forward to participating actively in further discussions on the issue at next year's Meeting of States Parties. In this regard, we also note the very useful open meeting of the Commission on the Limits of the Continental Shelf held earlier this year.

The International Seabed Authority has also had a very productive year. Our Group was very pleased that the Council of the Authority, under the presidency of Mr. Sakiusa Rabuka of Fiji, was able to finally conclude the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area — known informally as the "mining code" — after four years of negotiation. We think this is an important milestone in the Authority's endeavours, and urge the Authority to now proceed to issue contracts to the registered pioneer investors in accordance with the regulations, so that their activities in the area can be brought within the regime as envisaged by the Convention and the Part XI Agreement. We hope that the Secretary General of the Authority will be in a position to report to the next session of the Authority that these contracts have been concluded. Our delegations consider that the Regulations form a sound basis for governing prospecting and exploration activities in the Area and represent an appropriate balance between commercial sense and environmental caution. We particularly welcome the fact that in its decision adopting the Regulations the Council decided that prior to the testing phase, it would consider the matter of guarantees to enable the Council to take immediate measures to ensure effective protection of the marine environment, with a view to adopting an appropriate form of guarantee to meet this aim.

As already indicated, the Pacific Group very much welcomes the first meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, held in New York from 30 May to 2 June this year. We are gratified that one of our Group, Ambassador Tuiloma Neroni Slade of Samoa, was able to contribute to the Consultative Process in the capacity of Co-Chairperson, along with Mr. Alan Simcock of the United Kingdom. In our view, the Consultative Process got off to a very good start. The first meeting was notable for the quality and breadth of the discussions, both in the opening exchanges of views and specific discussion panels, and for the genuine willingness of participants to engage in the issues in a cross-cutting, non-sectoral manner. The areas of focus — "Responsible fisheries and illegal, unreported and unregulated fisheries: Moving from principles to implementation" and "Economic and social impacts of marine pollution and degradation, especially in coastal areas" — are very pertinent to our region. In addition to national delegations, our region was represented at the first meeting by a designated representative of the South Pacific Forum, Mr. Russell Howorth, of the South Pacific Applied Geoscience Commission. At the next session we hope to have more reinforcement from the region. In this regard, we welcome the establishment of the Trust Fund to assist developing countries with their attendance at the Consultative Process.

The problem of illegal, unreported and unregulated fishing is a very genuine and pressing concern for all of us. We therefore place considerable reliance on the efforts taking place in the Food and Agriculture Organization of the United Nations (FAO) to adopt a comprehensive international plan of action to prevent, deter and eliminate these unacceptable fishing activities, on the basis of a draft prepared at an expert meeting hosted in Sydney, Australia, earlier this

year. There is an urgent need for the FAO to adopt a comprehensive plan of action involving all relevant States, including flag States, port States and market States, to ensure that all States take action to see that their nationals and vessels flying their flags do not support or engage in illegal, unreported and unregulated fishing. Accordingly, we were very disappointed that the FAO technical consultations held from 2-6 October failed to finalize the plan of action. Clearly, another meeting will be needed if the FAO Committee on Fisheries is to be in a position to adopt the plan of action in February 2001. We urge all States to make the successful completion of the plan of action a priority.

We welcome the recent ratification of the United Nations Fish Stocks Agreement by Barbados and Luxembourg, and look forward to its imminent entry into force. The Agreement is a fundamental part of the international legal architecture for ensuring the conservation and management of marine living resources in accordance with the Convention. It is our firm view that any regional or subregional fisheries management organizations or arrangements established to ensure the long-term conservation of stocks on the high seas and straddling and highly migratory fish stocks must be established in accordance with the United Nations Fish Stocks Agreement. It is no longer acceptable to base new regimes for conservation and management on precedents from old fisheries management organizations, most of which predate the United Nations Conference on Environment and Development (UNCED), Agenda 21 and the United Nations Fish Stocks Agreement, let alone the 1982 Convention. The world has to move on.

In the case of the Pacific, six years of hard work has finally paid off, and the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific was adopted in Honolulu on 4 September this year. The Convention, concluded among States in the regions and fishing States, is firmly based on the United Nations Fish Stocks Agreement and is in full accordance with it. The Convention's importance cannot be overstated in terms of the contribution it will make to the maintenance of sustainable fisheries in the regions, an aim which is in the interests of both distant-water fishing nations and Forum island countries, which are all small island developing States relying substantially on this one resource for their livelihood. The Convention gives effect to the United Nations Fish Stocks Agreement and incorporates the principle upon which the Agreement is based, including the precautionary approach and the need to protect biodiversity.

The countries of the region and other interested States had a unique, one-off opportunity to conclude a regional management scheme before the stocks came under pressure and to ensure their long-term conservation and sustainability in accordance with the Convention and the United Nations Fish Stocks Agreement. We are happy to be able to report that this opportunity has been seized. Now we look forward to the timely ratification and entry into force of our Convention.

Mr. Seki (Japan): At the outset, I wish to express my Government's sincere condolences to the family of Mr. Lihai Zhao, a member of the International Tribunal for the Law of the Sea, who passed away 10 October. My condolences go also to the people and Government of the People's Republic of China. We will long remember Mr. Zhao's important contributions to the work of the Tribunal.

Surrounded by the sea, Japan has a profound interest in the sustainable use and development of the multitude of benefits and possibilities that the sea has to offer, and thus attaches great importance to the United Nations Convention on the Law of the Sea.

Today we note with satisfaction that 135 States have now become parties to the Convention and 99 States to the Agreement Relating to the Implementation of Part XI of the Convention. The legitimacy of the Convention cannot but increase with the addition of new States parties, and my delegation appeals to States that have not yet done so to become parties to the Convention, as well as to the Agreement.

In order to ensure the effective implementation of the Convention, it is necessary to maintain the Convention's unified character. To that end, my delegation would like to emphasize the importance of harmonizing the national legislation of States parties with the provisions of the Convention and to express the hope that any declaration or statement that is not in conformity with the Convention will be withdrawn.

The United Nations is an important focal point of efforts in the complex field of oceans and the law of the sea, and we highly value the Secretary-General's

report on the activities in this vast area. We also would like to thank the countries that coordinated the draft resolutions — Guyana, New Zealand and the United States of America.

The draft omnibus resolution A/55/L.10, of which my Government is a sponsor, addresses the entire range of activities covered under the Convention. Allow me to touch upon some aspects which we believe to be important. First, we welcome the results of the first meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, sometimes referred to as UNICPOLOS, which was organized under the able Co-Chairmanship of Ambassador Slade of Samoa and Mr. Simcock of the United Kingdom. The fact that many of the elements coming out of this meeting have been incorporated into the draft omnibus resolution demonstrates the usefulness of the Process, and we look forward to constructive discussions at its next meeting.

Asian waters, particularly those of the South China Sea and the Strait of Malacca, have been affected severely by piracy and armed robbery at sea. As a matter of fact, the number of incidents is increasing and they are becoming more violent. Appropriate international cooperation is needed to combat such crimes, and so we are pleased that the draft resolution reflects this issue as one of the priority areas to be addressed at the next meeting of the informal consultative process.

Japan, for its part, has been taking initiatives to combat crimes at sea. In March of this year, it hosted the International Conference on All Maritime Related Concerns, Both Governmental and Private, on Combating Piracy and Armed Robbery against Ships, which produced the Tokyo Appeal. Government authorities from 14 Asian countries and from Hong Kong in China, as well as representatives of the International Maritime Organization (IMO) and other private and non-governmental entities, participated in that Conference. In April, Japan hosted the Regional Conference on Combating Piracy and Armed Robbery Against Ships with the participation of the heads of coast guard agencies from the countries of the Association of South-East Asian Nations (ASEAN), China, Hong Kong in China, India, the Republic of Korea and Japan. In the final document, entitled "Asia Anti-Piracy Challenges 2000," participating authorities expressed their intention to promote cooperation in dealing with the problem of piracy. Japan has also been sending missions to countries in the region to promote cooperation and coordination in this area.

Allow me to touch upon the international organizations established under the Convention. In relation to the activities of the Commission on the Limits of the Continental Shelf, my delegation would like to note that the deadline for the submission of data and information for the purpose of establishing the outer limits of continental shelves beyond 200 nautical miles is fast approaching for those States parties for whom the Convention entered into force on 16 November 1994. In view of the importance of ensuring that every State party intending to submit data and information is in a position to do so by the deadline established for it in accordance with the relevant provisions of the Convention, we support the establishment of a voluntary trust fund to assist developing States in the preparation of their submissions to the Commission, as proposed in the draft omnibus resolution. We would like to thank the Norwegian delegation for its initiative in proposing the idea to establish this important trust fund. We would also like to stress the importance of bilateral cooperation to cover the data acquisition phase of the preparation of submissions. My country has already been extending such cooperation to a number of countries.

My Government attaches great importance to the peaceful settlement of disputes concerning the law of the sea through the procedures set out in the Convention, including the International Tribunal for the Law of the Sea when appropriate. From this point of view, we support the idea of establishing a voluntary trust fund for the purpose of assisting countries in the settlement of disputes through the Tribunal, and wish to thank the European Union, and particularly the United Kingdom, for taking the initiative in this regard.

Japan was re-elected as a member of the Council of the International Seabed Authority in July of this year and is grateful to all members of the Authority for their support. We are firmly committed to the attainment of the goals of the Authority, which has moved into the next stage of its work with the adoption, in July this year, of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area. At the same time, Japan urges States to pay their outstanding assessed contributions without further delay in order to solve the financial difficulties that the Authority and the Tribunal are facing.

When adopted, the draft omnibus resolution before us will establish four trust funds, some of which I have already touched upon. Allow me to emphasize the importance my Government will attach to transparency in the activities of those funds. We expect the details of the contributions made to the funds, as well as the disbursements from them, to be included in the funds' annual reports, and therefore welcome the inclusion of provisions to that effect in the terms of references attached to the draft resolution.

Before I conclude, let me touch briefly upon the matter of fisheries and related issues. With the global population surpassing six billion, conservation and management, as well as the sustainable use of living marine resources, are more important than ever for the subsistence of the human race. Excess fishing capacity, illegal, unreported and unregulated fishing, by-catches, discards and other outstanding issues have been a focus of discussion for some time. We welcome the efforts that are being made in the area of conservation and management of living marine resources at the national, regional and subregional levels, as well as by the United Nations system, especially the Food and Agriculture Organization of the United Nations (FAO). Japan has been constructively addressing outstanding issues, both as a responsible fishing country and as a major consumer of fisheries products.

Japan believes it is extremely important to build the capacities of developing countries in the area of fisheries in order to achieve the optimal conservation and rational use of fisheries resources. In 1998 Japan extended approximately $90 million in grant aid toward that end. In addition, we have been providing technical cooperation and making contributions through trust funds to appropriate international and regional organizations in order to facilitate that objective. We hope that other countries, as well as international and regional organizations, will also join in and reinforce such efforts, taking into account the various developments related to fisheries management in the FAO.

The Acting President: We have heard the last speaker in the debate on this item for this meeting. We shall hear the remaining speakers tomorrow, Friday, 27 October, at 3 p.m. The first three speakers at that meeting will be Brazil, Jamaica and Australia.

The meeting rose at 6.10 p.m.